

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

PHILLIP MYERS and	:	Civil No. 3:18-CV-00042
DANIEL DUFFY,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
CITY OF WILKES-BARRE, PA, <i>et al.</i> ,	:	
	:	
Defendants.	:	Judge Jennifer P. Wilson

ORDER

AND NOW, on this 23rd day of March, 2020, for the reasons set forth in the accompanying memorandum, **IT IS ORDERED AS FOLLOWS**:

1. Defendants' motion for summary judgment (Doc. 70) is **GRANTED IN PART AND DENIED IN PART**.
2. The motion for summary judgment is **GRANTED** as to Plaintiffs' municipal liability claim against the City of Wilkes-Barre (Count II). The City of Wilkes-Barre is accordingly dismissed from this case.
3. The motion for summary judgment is **DENIED** in all other respects.
4. A status conference is scheduled for **April 30, 2020 at 9:45 a.m.** to discuss future proceedings in this case. The conference will be by telephone. Plaintiff's counsel shall arrange a call-in number and pass code, and provide

that information to the court and opposing counsel at least one hour prior to the call.

s/Jennifer P. Wilson

JENNIFER P. WILSON

United States District Court Judge

Middle District of Pennsylvania